



AK-0-1147

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14 MAY 1952

Dear Bedell:

I am pleased to forward the following information with reference to the employment of retired commissioned or warrant officers of the Army by the Central Intelligence Agency under the provisions of Public Law 53, 82nd Congress.

It is the opinion of The Judge Advocate General of the Army that all commissioned and warrant officers of the Army retired by reason of a physical disability are exempt from the prohibition of Section 2 of the Act of July 31, 1894 (28 Stat. 205) as amended (5 U.S.C. 62), except those few officers retired by the President under the provisions of Section 1252, Revised Statutes, whose disabilities were incurred not in line of duty. Accordingly, it appears that the employment of such retired officers by the Central Intelligence Agency would be without regard to the limitation of fifteen officers imposed by subsection 6f, Central Intelligence Agency Act of 1949 (63 Stat. 211), as amended by the Act of June 26, 1951 (Public Law 53, 82nd Congress).

Army officers retired for disability may be readily identified because their retirement orders so state, and those few Army officers retired under the provisions of Section 1252, Revised Statutes, may be identified by the inclusion of "Sec 1252 RS" or "RS 1252" in their retirement orders.

With kindest regards,

Sincerely yours,

A. SIGNED LIFFE
Lieutenant General, GS
Assistant Chief of Staff, G-1

General Walter Bedell Smith
Director, Central Intelligence Agency
2430 E Street N. W.
Washington, D. C.